

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BARBARA ROLDAN,

Case No.: 14-CV-2199

Plaintiff,

-against-

CAFÉ LUGHNASA Inc. d/b/a LANGAN’S
and A&R KALIMAN LLC,

Defendants.

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Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, Defendant CAFÉ LUGHNASA Inc. d/b/a LANGAN’S, by and through their undersigned attorney, Kevin Sean O’Donoghue of Helbraun Levey & O’Donoghue, LLP, provide the following initial disclosures. Defendants make these disclosures based on their understanding of the allegations set forth in the Amended Complaint and the information now reasonably available to Defendants. These disclosures represent a good faith effort to identify information that Defendants reasonably believe they may use to support their defenses. Defendants reserve the right to supplement, amend, modify, or alter these disclosures as new information becomes available.

Nothing herein is to be construed as an admission or acceptance by Defendants as to the admissibility or relevance of any referenced document or fact. By making these initial disclosures, Defendants do not waive their right to object to discovery of any information disclosed herein on the basis of relevancy, materiality, attorney-client privilege, work product protection, or any other applicable privilege, law, or rule. Nor do Defendants waive their right to assert any other objection authorized by the Federal Rules of Civil Procedure, the Federal Rules of Evidence, the Local Rules of

this Court, or any other applicable law or rule in response to interrogatories, requests for admissions, requests for production of documents, notices of depositions, questions at depositions, or any other discovery requests involving or relating to the subject matter of these disclosures.

Defendants reserve their right to continue their investigation and discovery of facts, witnesses, and documents, which may reveal additional information about the issues in this case. All of the disclosures set forth below are made subject to the above objections and qualifications.

I. INDIVIDUALS LIKELY TO HAVE DISCOVERABLE INFORMATION THAT DEFENDANTS MAY USE TO SUPPORT THEIR DEFENSES

The following individuals are believed to have knowledge of the facts that Defendants may use to support their defenses, other than the parties. Defendants believe that these witnesses may have information concerning the subjects identified as well as other issues that may be developed during discovery. Defendants reserve their right to object to the testimony of any of the individuals listed and to identify additional witnesses as discovery progresses:

1. Desmond O'Brien
c/o Kevin S. O'Donoghue, Esq.
Helbraun Levey & O'Donoghue
110 William Street, Suite 1410
New York, NY 10038

Subject: All relevant matters regarding construction, renovation and operation on the subject premises

2. John Patrick Bohan (Architect)
228 E 45th Street
New York, New York 10017

Subject: All relevant matters regarding construction and renovation on the subject premises

These Rule 26 disclosures do not include any expert witnesses that Defendants may retain to testify at trial. In addition, as discovery and Defendants' continuing investigation of the facts proceed, other individuals may be identified as likely to have discoverable information. Defendants reserve the right to supplement these Rule 26 disclosures.

II. DOCUMENTS, DATA COMPILATIONS, AND TANGIBLE THINGS

The following documents within the categories set forth below are in the possession, custody, or control of Defendants and may be used to support their defenses in this action.

- Building and architectural plans
- Financial records

Defendants reserve the right to supplement this list with relevant documents as they become known to Defendants.

III. COMPUTATION OF DAMAGES

To date, the defendant does not believe there are any damages to the plaintiff. The damages to defendant are substantial in attorney's fees likely to exceed \$15,000.00.

IV. INSURANCE AGREEMENTS

Not applicable.

Dated: June 20, 2014

HELBRAUN LEVEY & O'DONOGHUE

By: _____/s Kevin Sean O'Donoghue_____

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